(2)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR, CHHATTISGARH

W. P. No. 1814 OF 2001

PETITIONER

Pragya Shikshan Samiti, Gayatridham, Boirdadar, a registered Society through its Secretary Shri R.K.Sao, S/o Jaimini Sao, aged about 73 years, retired Government servant, resident of Boirdadar, District, Raigarh (Chhattisgarh)

Versus

RESPONDENTS

1. State of Chhattisgarh through The Secretary, Department of Commerce & Industries, Mantralaya, D. K. Building, Raipur (Chhattisgarh)

P. R. No. 1958/6001
Presented by Shri R.O. Badgayan
dated 20/9/2001

2. Registrar, Firms & Societies, O-5, Anupam Nagar, Raigarh (Chhattisgarh)

3. Shri R. K. Son, Ex-Secretary, Pragya Shikshan Samiti, Gayatridham, Boirdadar, District Raigarh (Chhattisgarh)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(33)

आदेश पत्रक

मामला क्रमांक W.P.1814/2001 सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	8.10.2001 : Shri Prashant Mishra for the petitioner. Shri Rajiv Shrivastava for respondents 1 and 2. The order dated 4.9.2001 passed by the State government has been assailed. Though the election has been held on 14.6.2001 and the results ~~xx~~ of the same were duly notified by the Assistant Registrar on 19.7.2001, the order issued by the Registrar (Annexure P-2) dt. 30.4.2001 by which the election was ordered to be held within 45 days is now sought to be stayed after the results were declared. The impugned order as stated above was issued only on 4.9.2001 whereas the election results were notified on 19.7.2001. Shri Rajiv Shrivastava learned counsel for the respondents submits that the petitioner should take this grievance before theState Authorities and should not have rushed to this court by filing a writ petition underArticle 226 of the Constitution in as much as the grievance of the writ petitioner can be examined effectively by the State government. Shri Mishra learned counsel for the writ petitioner submits that the writ petitioner is ~~x~~ willing to approach the State governme... However, while issuing the impugned order on 4.9.2001 the writ petitioner had not been notified nor was the writ petitioner impleaded as party. It appears that since the	

[पीछे देखिये

आदेश का दिनांक आदेश क्रमांक सहित	..2.. आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

State government means to examine the matter on merit, in my view the writ petitioner should appear before the Said State authority and take all grievances before the same authority. I am also further of the opinion that the petitioner is a necessary party before the State government in as much as the interest of the writ petitioner is likely to be affected adversely by any decision to be taken by the State government. It is not known when the next date is fixed in the matter by the State government. I would direct that the petitioner should appear before the State government in this matter and on such appearance ~~as~~ put by the writ petitioner on 15.10.2001 date of further hearing shall be fixed. Only after giving reasonable opportunity of being heard to the concerned parties, the State government shall decide the matter finally on merit. With the above directions and observations this petition is disposed of. It is contended by Shri Mishra that at ~~that~~ the moment respondent no.3 is maintaining account of the school in his personal name. This ought not to be. This practice should be discontinued forthwith. Until an order in this regard is passed by the Sta[illegible] govt. let the Deputy Registrar firms and societies, ~~will~~ manage the affairs of the society-.

C.c.

Sd/-
Chief Justice

GRPRJ—FS/311—1/2001—50,000.-